

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-2, 4-5, 7-16, and 18-28 are presently active in this case. The present Amendment amends Claims 1, 4, 12, 14, 15 and 26-28 and cancels Claim 3.

The outstanding Office Action objected to the specification because of informalities. The outstanding Office Action rejected Claims 1-2, 5, 8-13, 16, 19-22 and 25 under 35 U.S.C. § 102(b) as being anticipated by Iida et al. (U.S. Patent No. 5,356,220). Claims 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida et al. in view of Weiss (U.S. Patent No. 5,419,636). Claims 23-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting.

Claims 3, 4, 7, 14, 15, 18 and 26-28 were indicated as allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter.

In response, the features of allowable Claim 3 are incorporated into independent Claim 1, Claim 26 is rewritten in independent form, features from allowable Claim 14 are incorporated into independent Claim 12; and Claim 14 is rewritten in independent form.

In response to the objections to the specification, the specification is amended to correct the noted informalities. In light of their formal nature, the changes to the specification do not raise a question of new matter.

In response to the rejections of the claims under 35 U.S.C. § 102(b); 35 U.S.C. §103(a), and the doctrine of double patenting, all independent claims having been amended to recite the features of allowable claims, these rejections are now moot and pending Claims 1-2, 4-5, 7-16, 18-28 are believed to be allowable.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. § 1.116, which after Final Rejection permits entry of amendments canceling rejected claims or complying with requirements of form set forth in a previous Office Action. As the present amendment merely rewrites allowable claims in independent form as suggested in the previous Office Action, it is respectfully requested that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-2, 4-5, 7-16 and 18-28 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Philippe J. C. Signore, Ph.D.  
Registration No. 43,922

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)